

**Raleigh Board of Adjustment
Decisions
October 9, 2017**

A-90-17 WHEREAS. Donna and Kirk Preiss, property owners, request a variance from Section 7.2.5.C.3. of the Unified Development Ordinance in order to construct a dumpster enclosure utilizing a wooden fence instead of a masonry wall on a .2 acre parcel zoned Residential-6 and Neighborhood Conservation Overlay District located at 115 Hawthorne Road.

Decision: Deferred to the Board's November 13, 2017 meeting.

A-114-17 WHEREAS Gloria Powell, property owner, requests a 7.52' rear yard setback variance and a .7' side setback variance to the requirements set forth in Section 2.2.3. and Section 1.5.4.D.1.a. of the Unified Development Ordinance in order to permit a screen porch attached to a townhouse that results in a 3.48' rear yard setback and a .7' side setback on a .06 site zoned Residential-10 Conditional Use District and located at 136 Ashton Hall Lane.

Decision: Approved as requested.

A-115-17 WHEREAS Nora Bulluck, property owner, requests a 5' street setback variance to the requirements set forth in Section 2.2.1. of the Unified Development Ordinance in order to permit a proposed expansion to an existing detached house that results in a 15' street setback on a .25 acre parcel zoned Residential-4 and located at 4829 Little Falls Drive.

Decision: Approved as requested.

A-116-17 WHEREAS Stanley Doremus and Mary Shackleton, property owners, request both a 1' and a 5' rear yard setback variance from the requirements set forth in Section 2.2.1. of the Unified Development Ordinance in order to permit an addition to the rear of the existing detached house and a garage addition that results in a 29' rear yard setback for a portion of the detached house and a 25' rear yard setback for the garage portion of the detached house on a .34 acre parcel zoned Residential-4 and located at 4000 Wingate Drive.

Decision: Approved as requested.

A-117-17 WHEREAS James and Tracy Isacco, property owners, request a 6' side street setback variance from the requirements set forth in Section 2.2.1. of the Unified development Ordinance and a 14' variance in the minimum driveway length requirements set forth in Section 6.5.7.G. of the Raleigh Street Design Manual in order to expand an

existing garage that results in a 4' side street setback and a 4' long driveway on a .23 acre parcel zoned Residential-6 and Special Residential Parking Overlay District and located at 2512 Stafford Avenue.

Decision: Continued to the Board's November 13, 2017 meeting to give staff and Applicant opportunity to submit an alternative proposal.

A-118-17 WHEREAS America's Home Buyers, Inc., property owner, requests a variance granting relief from the Neighborhood Transitions Zone B use restrictions set forth in Article 3.5 of the Unified Development Ordinance in order to allow an office building to locate within 19' of the Western Property line adjacent to a residential zoning district on a .36 acre parcel zoned Office Mixed Use-3-Conditional Use and located at 2449 Lynn Road.

Decision: Approved as requested.

A-119-17 WHEREAS CK Wakefield Properties, LLC, property owner, requests a complete variance to the 40% forestation standard set forth in Section 9.1.9. of the Unified Development Ordinance as well as a complete variance to the primary tree conservation requirement for an undisturbed area adjoining a thoroughfare set forth in Section 9.1.4.A.8. of the Unified Development Ordinance as applied to the property's frontage along Falls of Neuse Road and Wakefield Pines Drive on a 4.93 acre parcel zoned Commercial Mixed Use - 3-Urban Watershed Protection Overlay District and located at 2801 Wakefield Pines Drive.

Decision:

1. Approved the variance from the 40% forestation requirement.
2. Approved the complete variance from the primary tree conservation requirement with the following conditions:
 1. At least 16% tree conservation area shall be provided, as shown on the site plan presented at the hearing;
 2. A Type C2 street protective yard is provided along Wakefield Pines Drive and Falls of Neuse Road;
 3. A 20-foot wide building and parking setback is provided along Wakefield Pines Drive and Falls of Neuse Road;
 4. Dumpsters on the property shall be located at least 70 feet from any single-family lot on Sargas Street or Arneson Street;
 5. Unless required by the City, the Applicant shall not clear the area within the 20' wide City of Raleigh sanitary sewer easement along the rear of the property as shown on plat recorded in Book of Maps 2001, Page 2359, but exclusive of those areas also within the 20' private drainage easement and 60' private cross access, private drainage and private utility easement as shown on the plat;

6. Subject to the consent of the owner of the single-family lot, the Applicant shall, at the sole cost of the Applicant, construct a wood fence where there is no wood fence along the property boundary adjacent to the single-family lots. If agreement cannot be reached with the adjoining owner(s), then the wood fence shall be provided on the other side of the tree conservation area interior to the property in a location that generally corresponds with the common boundary line with that adjoining lot.

A-120-17 WHEREAS East West Partners Management Company, Inc. requests a 5' variance to the building height maximum of 90' set forth in Section 3.3.2.A of the Unified Development Ordinance, a 1' variance to the maximum parapet wall encroachment of 7' set forth in Section 1.5.7.A.1. of the Unified Development Ordinance for a six story building and a 5' variance to the maximum encroachment for a cooling tower of 12' as set forth in Section 1.5.7.D.3. for a 2.43 acre parcel zoned Office Mixed Use-7-Parking Limited- Conditional Use and located at 4509 Creedmoor Road.

Decision: Approved as requested.

J. Carr McLamb, Jr., Chairman

Date

the Western Property line adjacent to a residential zoning district on a .36 acre parcel zoned Office Mixed Use-3-Conditional Use and located at 2449 Lynn Road.

Decision: Approved as requested.

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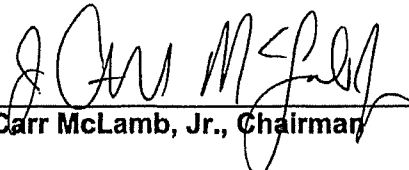
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2. A Type C2 street protective yard is provided along Wakefield Pines Drive and Falls of Neuse Road;
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Decision: Approved as requested.


J. Carr McLamb, Jr., Chairman

10/12/17
Date